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September 29, 2000

Atty. Docket No.: P65973USQ  
CUSTOMER NUMBER: 00136

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is a CONTINUATION-IN-PART application of pending PCT/IE00/00074 which has designated the U.S., filed on June 8, 2000, of Cathal McGLOIN and Raymond McGLOIN for A PERFORMANCE MANAGEMENT SYSTEM. The application comprises a 39-page specification, including 15 claims (2 independent) and Abstract and 8 sheets of drawings.

Accompanying the application for filing is:

Preliminary Amendment;

Small Entity Declaration under 37 C.F.R. Section 1.9(c-f)

Assignment document, cover sheet and \$40.00 fee for recordation of Assignment;

|                   |  |        |
|-------------------|--|--------|
| for Small Entity  |  | 345.00 |
| Total Claims      | 15 in excess of 20 = 0 (x \$18/9.00) = | .00    |
| Total Ind. Claims | 2 in excess of 3 = 0 (x \$78/39.00) =  | .00    |
|                   |  | +      |
|                   | TOTAL FILING FEE                       | 345.00 |

Check No. 49763 the amount of \$385.00, is enclosed to cover the Filing Fee. The Commissioner is hereby authorized to charge payment of any fees set forth in §§1.16 or 1.17 during the pendency of this application, or credit any overpayment, to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed

Respectfully submitted,  
JACOBSON, PRICE, HOLMAN & STERN, PLLC

By

John C. Holman

Reg. No. 22,769

Attnv's Docket No. \_\_\_\_\_

**SMALL ENTITY DECLARATION**  
[37 CFR 1.9(c-f)]

Each undersigned declares that:

(1) ☒ the application attached hereto.

(2) ☐ U.S. Application Serial No. \_\_\_\_\_, filed \_\_\_\_\_

(3) ☐ U.S. Patent No. \_\_\_\_\_ Issued \_\_\_\_\_

is entitled to the benefits of "small entity" status for paying reduced fees under 35 USC 41(a) and (b) to the Patent and Trademark Office by virtue of the following:

(4) ☐ Each undersigned declares that he/she qualifies as an independent inventor, or would qualify had he/she made the as defined in 37 CFR 1.9(c).

(5) ☒ The undersigned declares that he/she is an official empowered to act on behalf of the concern identified below; that this concern qualifies as a small business concern as defined in 37 CFR 1.9(d); that exclusive rights to the invention have been conveyed to and remain with the small business concern, or if the rights are not exclusive, that all other rights belong to small entities as defined in 37 CFR 1.9.

(6) ☐ The undersigned declares that he/she is an official empowered to act on behalf of the organization identified below; that this organization qualifies as a nonprofit organization as defined in

(a) ☐ 37 CFR 1.9(e)(1)

(b) ☐ 37 CFR 1.9(e)(2)

(c) ☐ 37 CFR 1.9(e)(3)

(d) ☐ 37 CFR 1.9(e)(4) State law of \_\_\_\_\_

that exclusive rights to the invention have been conveyed to and remain with the organization, or if the rights are not exclusive, that all other rights belong to organizations as defined in 37 CFR 1.9.

(7) Each person, concern or organization to which I/we have assigned, granted, conveyed or licensed, or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

(a) ☒ no such person, concern or organization

(b) ☐ persons, concerns or organization listed below

[a separate declaration is required from each named person, concern or organization having rights to this invention averring to their status as "small entities."]

Full Name \_\_\_\_\_

Address \_\_\_\_\_

☐ Individual

☐ Small Business Concern

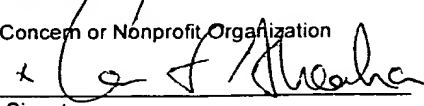
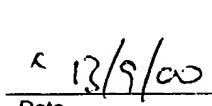
☐ Nonprofit Organization

I/we acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement of small entity prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I/we hereby declare all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.

|     |                                 |                    |               |
|-----|---------------------------------|--------------------|---------------|
| (8) | _____<br>Typed Name of Inventor | _____<br>Signature | _____<br>Date |
|     | _____<br>Typed Name of Inventor | _____<br>Signature | _____<br>Date |
|     | _____<br>Typed Name of Inventor | _____<br>Signature | _____<br>Date |
|     | _____<br>Typed Name of Inventor | _____<br>Signature | _____<br>Date |

(9) \_\_\_\_\_  
Name of Small Business Concern or Nonprofit Organization

|                                   |    |  |   |
|-----------------------------------|----|--|---|
| <b>PERFORMIX RESEARCH LIMITED</b> | By |  |  |
| Typed Name                        |    | Signature  | Date  |
| <b>* Company Secretary</b>        |    |  | <b>12/9/00</b>  |
| Title of Signatory                |    |  |   |

Attnv's Docket No.

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[37 CFR 1.9(c-f)]

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(2) ☐ U.S. Application Serial No. \_\_\_\_\_, filed \_\_\_\_\_

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(5) ☐ The undersigned declares that he/she is an official empowered to act on behalf of the concern identified below: that concern qualifies as a small business concern as defined in 37 CFR 1.9(d); that exclusive rights to the invention have been conveyed to and remain with the small business concern, or if the rights are not exclusive, that all other rights belong to small entities as defined in 37 CFR 1.9.

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(a) ☐ 37 CFR 1.9(e)(1)

(b) ☐ 37 CFR 1.9(e)(2)

(c) ☐ 37 CFR 1.9(e)(3)

(d) ☐ 37 CFR 1.9(e)(4) State law of \_\_\_\_\_ that exclusive rights to the invention have been conveyed to and remain with the organization, or if the rights are not exclusive, that all other rights belong to organizations as defined in 37 CFR 1.9.

(7) Each person, concern or organization to which I/we have assigned, granted, conveyed or licensed, or am under an under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

(a) ☐ no such person, concern or organization

(b) ☒ persons, concerns or organization listed below

[a separate declaration is required from each named person, concern or organization having rights to this invention averring to their status as "small entities."]

Full Name **Performix Research Limited**

Address **4A Princes Street South, Dublin 2, Ireland**

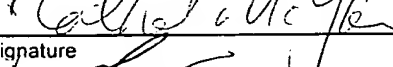
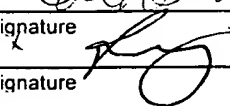
☐ Individual

☒ Small Business Concern

☐ Nonprofit Organization

I/we acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement of small entity prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

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|     |                                 |  |                  |
|-----|---------------------------------|--|------------------|
| (8) | <b>McGLOIN, Cathal</b>          |  | <b>13/9/00</b>   |
|     | Typed Name of Inventor          | Signature  | Date             |
|     | <b>McGLOIN, Raymond</b>         |  | <b>15/9/2000</b> |
|     | Typed Name of Inventor          | Signature  | Date             |
|     | _____<br>Typed Name of Inventor | _____<br>Signature   | _____<br>Date    |
|     | _____<br>Typed Name of Inventor | _____<br>Signature   | _____<br>Date    |
|     | _____<br>Typed Name             | _____<br>Signature   | _____<br>Date    |
|     | Title of Signatory              |  |                  |